

REMARKS/ARGUMENTS

Applicant appreciates the Examiner granting applicant's attorneys a telephone interview on April 19, 2007. Applicant submits herewith an interview summary form in accordance with M.P.E.P. §713.04.

Claims 2-16, 20, 24, 28-32, 34, 39, 40, 56-69, 71-78 and 82-84 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Greening ("Greening," U.S. Patent Application Publication No. US 2001/0013009) in view of Harvey ("Harvey," U.S. Patent Application Publication No. US 2002/0059379) in view of Goldstein ("Goldstein," U.S. Patent Application Publication No. 2001/0032115). Applicant respectfully traverses this rejection.

Furthermore, claims 18 and 70 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Greening in view of Harvey in view of Goldstein ("Goldstein," U.S. Patent Application Publication No. US2001/0032115) in view of Masi ("Masi," U.S. Patent No. 6,105,001). Applicant respectfully traverses this rejection.

Applicant respectfully submits that features defined in claims 82, 83 and 84 are not taught, suggested or disclosed by either Greening, Harvey and Goldstein, nor does the combination of those references teach, suggest or disclose the missing features of applicant's claims 82, 83 and 84. Since these features are missing from each of Greening, Harvey and Goldstein, the combination of those references cannot render the claims obvious under 35 U.S.C. §103(a).

The missing features in applicant's claims 82 and 83 are a "first search of [an] electronic architecture" in response to a request by the searcher for a first search result, "the first search result [provided] to the searcher" and "a second search of the electronic architecture for a second search result, wherein the second search retrieves preference information from at least one ... [member] that corresponds to ... brand information of the first search result and further corresponds to ... at least one personal trait or the at least one good or service defined in the search criteria," and "providing the second search result to the searcher." The missing features in Applicant's claim 84 are "performing a first search of the electronic architecture" that "retrieves at least some preference information from at least one of [member] that corresponds directly to ... search criteria," "providing the first search result to the searcher," and "performing an automatic second search ... related to the first search ... wherein the second search retrieves preference information from at least one of the members that corresponds to selectively relevant

aspects of the information related to branded goods and services and further corresponds in at least an aspect to the at least one personal trait or the at least one preference defined in users initial search criteria.”

Instead of teaching these features, Greening describes a system and method for predicting the interest of a user “based on that user’s behavioral or preferential similarities to other users, to objective archetypes formed by assembling items satisfying a search criterion, a market segment profile, a demographic profile or a psychographic profile” (see, for example, Abstract, paragraphs [0014]-[0021], [0035], [0036], [0039], [0040], [0041], [0043] and [0052]). Greening creates a personalized experience or makes recommendations based on an individual’s “personal tastes” (paragraph [0014]). Accordingly, the individual to whom recommendations are made is determined, such as described above. Greening attempts to analyze the individuals in order to find like-minded people. Conversely, applicant’s claims 82-84 do not define features that attempt to understand the searcher in order to identify like-minded individuals. Instead, applicant’s claims 82-84 define a second search that is performed and that retrieves preference information that corresponds to the brand information of the first result. Greening does not teach, suggest or disclose this feature, nor does Greening teach, suggest or disclose the combination of features described above with reference to applicant’s claims 82, 83 and 84.

The missing features defined in claims 82, 83 and 84 are not taught, suggested or disclosed by either Harvey or Goldstein. Thus, the combination of those references cannot teach, suggest or disclose the applicant’s invention defined in claims 82, 83 and 84. Harvey is cited by the Examiner for teaching an individual searching demographic databases of users or members. Harvey is also cited for disclosing providers of goods and services, and for utilizing message boards. Goldstein is cited by the Examiner for teaching tracking brand preference of users and brand information from providers of goods or services, and for disclosing collecting personal information from new members.

Neither Harvey nor Goldstein teaches, suggests or discloses the missing features of claims 82 and 83, including a “first search of [an] electronic architecture” in response to a request by the searcher for a first search result and “a second search of the electronic architecture for a second search result, wherein the second search retrieves preference information from at least one … [member] that corresponds to … brand information of the first search result and further corresponds to … at least one personal trait or the at least one good or service defined in

the search criteria,” and “providing the second search result to the searcher.” Moreover, neither Harvey nor Goldstein teaches, suggests or discloses the missing features of applicant’s claim 84, including “performing a first search of the electronic architecture” that “retrieves at least some preference information from at least one of [member] that corresponds directly to … search criteria,” “providing the first search result to the searcher,” and “performing an automatic second search … related to the first search … wherein the second search retrieves preference information from at least one of the members that corresponds to selectively relevant aspects of the information related to branded goods and services and further corresponds in at least an aspect to the at least one personal trait or the at least one preference defined in users initial search criteria.”

Thus, for the above reasons, even if one were to combine Greening, Harvey and Goldstein, as the Examiner has done, applicant’s claims 82-84 still would not be taught. Therefore, applicant submits that claims 82-84 are allowable over the combination of Greening, Harvey and Goldstein, and are not obvious under 35 U.S.C. §103(a).

Claims 2-78 depend directly or indirectly from claims 82 or 83, respectively, and are patentable for the same reasons as well as because of the combination of features in those claims with the features set forth in the claim(s) from which they depend. Further, Masi, which is cited by the Examiner for teaching rewarding users for recruiting new members, does not provide elements of applicant’s claims 82 or 83 that are missing from the combined teachings of Greening, Harvey and Goldstein.

For the reasons set forth above, applicant respectfully submit that this application is in condition for allowance, for which action is earnestly solicited.

THIS CORRESPONDENCE IS BEING
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Respectfully submitted,


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